

Applicants : William Graves Confirmation No.: 9858  
Appln. No. : 10/564,717 Art Unit : 3775  
Filed : December 8, 2006 Examiner : Lawson, Matthew James  
Title : BONE RESECTION DEVICE

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being electronically filed via EFS-Web to the Commissioner for Patents with the U.S. Patent and Trademark Office on: February 17, 2010

Name (print/type) Brian S. Tomko

Signature /Brian S. Tomko/

Date

February 17, 2010

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated November 17, 2009 finally rejecting claims 1-5 and 7-251 of the above-identified application.

The item(s) checked below are appropriate:

1. ☐ An extension of time to respond to the final rejection was granted on \_\_\_\_\_ for \_\_\_\_\_ month(s).
2. ☐ A Petition For Extension Of Time under 37 CFR 1.136 will be paid by the USPTO fee portion of the e-filing system.
3. ☐ A timely response to the final rejection has been filed.
4. ☒ Fee \$540.00: for filing of Notice of Appeal

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

- ☐ Not required (fee paid in prior appeal)
- ☐ Charge to Deposit Account No. 10-0750. Two additional copies of this Notice are enclosed herewith.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment in connection herewith to Deposit Account No. 10-0750.

Respectfully submitted,

/Brian S. Tomko/

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Date: February 17, 2010